

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>ROSAMUNDE EPSTEIN,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CIVIL ACTION FILE NO.:</b>
	)	
<b>vs.</b>	)	
	)	
<b>SAFECO INSURANCE</b>	)	
<b>COMPANY OF INDIANA,</b>	)	
	)	
<b>Defendant.</b>	)	

**DEFENDANT SAFECO INSURANCE COMPANY OF INDIANA’S**  
**NOTICE OF REMOVAL**

COME NOW, Safeco Insurance Company of Indiana (“Safeco”), and petitions for removal of the action herein referred from the State Court of Gwinnett County, Georgia to the United States District Court for the Northern District of Georgia, Atlanta Division, and respectfully shows the Court the following:

1.

Petitioner is the named Defendant in a civil action brought against it in the State Court of Gwinnett County, Georgia and styled *Rosamunde Epstein v. Safeco Insurance Company of Indiana*, Civil Action File No. 23-C-00397-S5, now pending in said court. Copies of the Summons and Complaint in that action are attached

hereto, marked Exhibit “A”, and made a part hereof. A copy of the Answer filed by Safeco in that action is attached hereto, marked Exhibit “B”, and made a part hereof.

2.

Said action was commenced by the filing of the Affidavit of Service on February 1, 2023. A copy of the Affidavit of Service in that action is attached hereto, marked Exhibit “C”, and made a part hereof. Service of process consisting of said Summons and Complaint upon Safeco’s registered agent occurred on January 30, 2023. The Summons, Complaint, Answer, and Affidavit of Service constitute all pleadings that have been filed in said State Court of Gwinnett County, Georgia as of the date of this filing of this Notice of Removal, which is timely filed within thirty (30) days of such service.

3.

There is diversity of citizenship among the parties. This is a controversy between Plaintiff, a citizen and resident of Georgia and Safeco, which is organized under the laws of the State of Indiana and maintains its principal places of business at 175 Berkeley Street, Boston, Massachusetts. Safeco is not a citizen of the State of Georgia wherein this action was brought. Accordingly, this is a civil action brought

in the State Court for which this United States District Court has original jurisdiction due to diversity of citizenship.

4.

In the Complaint, Plaintiff seeks in excess of \$75,000.00 in damages, exclusive of interests and costs. (Exhibit “A”, ¶ 10). Because the parties are diverse and the amount in controversy threshold is exceeded, jurisdiction is proper under Section 1332 of Title 28 of the United States Code.

5.

Safeco has given written notice of the filing of the Notice of Removal to Plaintiff and to the Clerk of the State Court of Gwinnett County, Georgia. A copy of the Notice of the filing of the Notice of Removal is attached hereto as Exhibit “D”.

WHEREFORE, Safeco prays that this Petition be filed, and that said action be removed to and proceed in this Court, and that no further proceedings be had in said case in the State Court of Gwinnett County, Georgia pursuant to Section 1331, Title 28 of the United States Code.

Respectfully submitted on this 28th day of February, 2023.

*[SIGNATURES APPEAR ON FOLLOWING PAGE.]*

CHARTWELL LAW, LLP

/s/ Karen K. Karabinos

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Georgia Bar No. 423906

/s/ Katelyn E. Fischer

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*Counsel for Safeco*

I hereby certify that the foregoing has been prepared with Times New Roman, 14-point font, in compliance with L.R. 5.1(b).

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this day served a copy of the within and foregoing *Defendant Safeco Insurance Company of Indiana's Notice of Removal* upon all parties to this matter by e-filing the same with the Court's CM/ECF filing system, which will automatically provide a copy to counsel of record as follows:

Michael B. Weinstein  
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[mike@wblegal.net](mailto:mike@wblegal.net)

This 28th day of February, 2023.

CHARTWELL LAW, LLP

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